

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND
Greenbelt

IN RE:

PATRICIA LYNN CAPLAN

Debtor(s) Chapter 13
Case No. 17-21219

OBJECTION OF NATIONSTAR MORTGAGE LLC
TO PROPOSED CHAPTER 13 PLAN AND
CONFIRMATION THEREOF

Nationstar Mortgage LLC and its assignees and/or successors in interest, a secured creditor in the above-entitled Bankruptcy proceeding, hereby submits the following objections to the Confirmation of the Chapter 13 Plan proposed by the Debtor(s):

1. This objecting secured creditor is the beneficiary of a trust deed on property commonly known as 25 Ethelwood Ct, Olney, MD 20832; the promissory note and deed of trust were attached to the proof of claim filed by the secured creditor.
2. The debtor(s) are due a total pre-petition arrears of \$141,756.11, comprised of monthly payments totaling \$100,649.53, prepetition fees of \$8,551.89, escrow advances of \$25,840.42, and an escrow shortage of \$6,714.27.
3. The proposed Chapter 13 plan does not provide this objecting Secured Creditor with adequate protection or adequate security, according to Sections 362 and 1325 (a) of the Code.
4. The plan does not propose to pay the Secured Creditor's entire claim as shown in its proof of claim, in that the arrears are listed in the amount of \$126,374.00 and this Creditor's claim was filed in the amount of \$141,756.11.

CONCLUSION

Any Chapter 13 Plan proposed by the Debtor(s) must provide for and eliminate the objections specified above in order to be feasible and to provide adequate protection to this objecting secured creditor. It is respectfully requested that confirmation of the Chapter 13 Plan as proposed by the Debtor(s) be denied.

WHEREFORE, secured creditor prays as follows:

1. That confirmation of the proposed Chapter 13 Plan be denied.
2. For attorney's fees and costs incurred herein.
3. For dismissal of the Chapter 13 proceeding.
4. For such other relief as this Court deems proper.

Dated: October 5, 2017

Respectfully submitted
Nationstar Mortgage LLC

By Counsel:

/s/ Kristine D. Brown
Kristine D. Brown, Esquire
William M. Savage, Esquire
Thomas J. Gartner, Esquire
Shapiro & Brown, LLP
10021 Balls Ford Road, Suite 200
Manassas, Virginia 20109
(703) 449-5800
ecf@logs.com

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of October, 2017, I reviewed the Court's CM/ECF system and it reports that an electronic copy of this Objection will be served electronically by the Court's CM/ECF system on the following:

James C Martin
1401 Rockville Pike
Suite 650
Rockville, MD 20852

Debtors' Attorney

Nancy Spencer Grigsby
185 Admiral Cochrane Dr.
Suite 240
Annapolis, MD 21401

Trustee

I hereby further certify that on the 5th day of October, 2017, a copy of this Objection was also mailed first class mail, postage prepaid to:

PATRICIA LYNN CAPLAN
25 ETHELWOOD CT
OLNEY, MD 20832

Debtor(s)

/s/ Kristine D. Brown

Kristine D. Brown, Esquire
Federal I.D. Bar No. 14961
William M. Savage, Esquire
Federal I.D. Bar No. 06335
Diana C. Valle, Esquire
Federal I.D. Bar No. 18377
Thomas J. Gartner, Esquire
Federal I.D. Bar No. 18808
SHAPIRO & BROWN, LLP
10021 BALLS FORD ROAD, SUITE 200
MANASSAS, VIRGINIA 20109
(703) 449-5800 17-269861